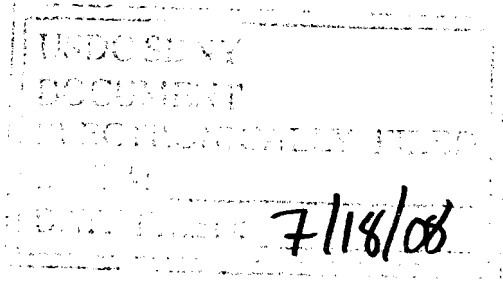


ROBERT L. DOUGHERTY

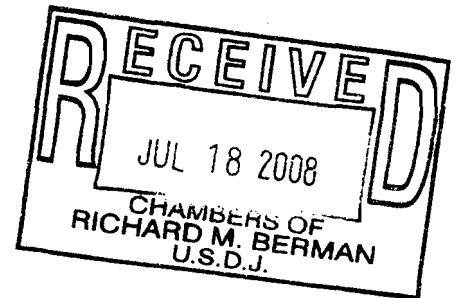
ATTORNEY AT LAW



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July 16, 2008

Judge Richard M. Berman
United States District Court
500 Pearl Street
New York, New York 10007



**Re: ABC Rug & Carpet Cleaning Service, Inc. et al.
v. ABC Rug Cleaners, et al.
08-CV-5737**

MEMO ENDORSED

Dear Judge Berman:

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On July 2, 2008, I received a fax notification from Chambers advising that there was a Rule 16 conference scheduled for August 20, 2008 at 9:15 a.m. in Courtroom 21D, 500 Pearl Street, New York, New York. I will be flying out to Milwaukee for a five day vacation beginning that morning. I am available for a Rule 16 conference on September 4, 5, 10, 11 or 12.

The defendants, ABC Rug Cleaners, Inc. ABC Carpet & Upholstery Care, Inc. and NY Manhattan Management, Inc. were served through the New York Secretary of State on June 27, 2008. An answer to the complaint is due on July 27, 2008. To date, no answer has been interposed on behalf of any of the defendants.

On July 7, 2008, I sent a letter to Steven Hilsenrath, Esq., an attorney who advised me back in March 2008 that he represented defendant ABC Rug Cleaners, Inc. In my letter, I asked Mr. Hilsenrath if he would be representing ABC Rug Cleaners in this action as well as any of the other defendants. On July 8, 2008, I had a follow-up telephone conference with Mr. Hilsenrath in which he stated that he would know by the weekend of July 12/13 whether he would be representing any of the defendants. Not having heard from Mr. Hilsenrath, I called his office on July 14 and left a message asking him to call me back. On July 15, I received a call from his secretary indicating that Mr. Hilsenrath expected to meet with his client, ABC Rug Cleaners, Inc., the weekend of July 19/20. Hopefully, at that time, he will learn whether he has been retained by any of the defendants.

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Inasmuch as this process is dragging on without any resolution, I am requesting that the Rule 16 conference be adjourned to September 4, 5, 10, 11 or 12. I have already checked with Mr. Hilsenrath and he is available during the first two weeks of September. If Mr. Hilsenrath is not retained by any of the defendants, I will mail a copy of the adjourned Rule 16 conference date to the defendants.

If you have any questions, please call.

Respectfully submitted,

Robert H. May

ROBERT L. DOUGHERTY

RLD:dsf

cc: Steven Hilsenrath, Esq.

Conference adjourned to 9/11/08 at
9:30 a.m.

SO ORDERED:
Date: 7/18/08

Richard M. Berman
Richard M. Berman, U.S.D.J.